

### **Amendment to the Drawings**

The attached Replacement sheets of Drawings presents the drawings as originally filed in a more acceptable condition. Also, it is clear that Fig. 4 should have been rotated 90° clockwise in the drawings as filed. Fig. 4 is shown in the Replacement Sheets with the correct orientation.

Attachment: Replacement Sheets  
Replaced Sheet

## **REMARKS/ARGUMENTS**

In the Office action dated December 29, 2006, the Examiner objected to the drawings for a variety of reasons. The Examiner also objected to the claims, using § 112 language, and also rejected claims 1 and 2 under 35 U.S.C. § 112, 2d paragraph. It is not clear what the difference is between an objection using § 112 language and a pure 35 U.S.C. § 112, 2d paragraph rejection, so Applicant will respond as best he can, treating the objection and the rejection as the same manner of beast. Claims 1-6 stand rejected under 35 U.S. C. § 102(b) as being anticipated by U. S. Patent No. 2,082,792 to Dean.

In the Specification, no changes.

In the Claims, claims 1-6 are amended.

### **The Invention**

This invention relates to an elongate beam structure useable between upright columns in a building frame structure, known as a chase beam structure which includes, along much of its length, a vertically open through-passage, referred to herein as a chase passage, which lies generally about the vertical plane occupied by the beam's long axis when the beam is installed in operative condition in a building. This chase passage conveniently accommodates certain necessary "between-floor" routing of various support infrastructure, such as wiring, ducting and plumbing, in a plural-story building.

The chase beam of this invention not only furnishes such an infrastructure-accommodating chase passage, but also is designed to have a relatively simple and easy-to-fabricate structural organization which, in other respects, provides all of the necessary, and

normally expected, beam load-bearing functionality. Additionally, the beam of the invention features opposite end regions, at least one of which, though preferably both, are configured with appropriate overload fuses, and which may be formed in the well-known I-Beam configuration.

### **The Applied Art**

U. S. Patent No. 2,082,792 to Dean describes a beam formed of sheet metal, having a continuous exterior box formed about a hollow central region.

### **The Drawings**

It is the Examiner's opinion that the drawings are "...redundant with an over abundance of reference characters making the drawing figures unclear and messy." The Examiner then states that there are not sufficient drawings. It is hard to determine what Applicant should do to remedy both the "redundancy" and sparsity of the drawings. Replacement sheets are provided herewith which will hopefully satisfy the Examiner. All of the claimed features of the invention are clearly depicted in the drawings, which are easily understandable by one of ordinary skill in the art.

With respect to the objection to Fig. 1 as showing all of the features in two dimensions, the figure is identified as an isometric view, and, in fact, is clearly a three dimensional representation of the invention in a somewhat schematic form in order to provide an environment. As noted by the Examiner, Fig. 1 does show all of the features of the invention. The Examiner does not provide any authority for the Examiner's demand that the figures somehow show all of the features of the invention in three dimension in every drawing figure. Fig. 2 is a top plan view, Fig. 3 is a side elevation of Fig. 2 and Fig. 4 is an end/section view of

Fig. 2. If the Examiner can identify any more dimensions which might be represented, Applicant will entertain the Examiner's suggestion. Applicant submits that one of ordinary skill in the art would readily and easily comprehend the invention given the four drawing figures. As noted in the last paragraph of Page 2, the spanner portions are depicted in a way that would enable one skilled in the art to make and understand the invention as claimed and described in the specification, so it is not understood why the Examiner is objecting to the drawings as such represents the spanner portion of the invention in connection with Fig. 1.

### **The Claims**

Addressing first the objection to Applicant's use of the term "spanner," it is not a British-made wrench. It is clearly and concisely defined in the Specification at 3/21 to 4/1, where the number preceding the / is the Specification page number, and the number following the / is the line number on the identified page. Claims 5 and 6 have been amended to change language to make a more positive recitation of the claims structure. Likewise, claims 1 and 2 have been amended to overcome the 35 U.S.C. § 112, 2d paragraph rejection.

Claim 1 has been amended to recite that the central through passage of the spanner is vertically oriented, as described in the Specification and depicted in the several drawings figures. Dean does not teach nor suggest such structure. Dean teaches a hollow metal beam having an enclosed central passage. There is no teaching nor suggestion in Dean that the top and bottom portions of the beam be opened to form a passage as taught by Applicant. Claim 1 is allowable over the applied art.

Claim 2 is allowable for the reasons set forth in connection with claim 1: there is

no teaching nor suggestion in Dean that the top and bottom portions of the beam be opened to form a passage as taught by Applicant. Claim 2 is allowable over the applied art.

Claim 3 requires that an overload fuse be provided at at least one end portion of the chase beam. Although the Examiner rejected this claim under 35 U.S. C. § 102(b), the Examiner has not shown any structure in the applied reference which teaches or suggest the incorporation of an overload fuse. Claim 3 is allowable over the applied art.

Claim 4 requires an overload fuse at each end of the beam, and is allowable for the reasons set forth in connection with claim 3.

Claim 5 stands rejected under 35 U.S. C. § 102(b), the Examiner contending that the beam of Dean is an I-beam, and that Dean elements 3 and 4 form a spanner in the form of a channel. However, Dean elements 3 and 4 must form the web of an I-beam, and thus, cannot also serve as spanner/channels, as the claim requires an I-beam and a channel: it is not logical that Applicant would recite separate elements if only a single element were required. So, the Dean beam could be an I-beam, or it could be a channel, but not both. Also, claim 5 depends from claim 2, which requires that the spanner have a vertical clear passage (channel) which is not present in Dean. Claim 5 is allowable over the applied art.

Claim 6 is allowable for the reasons set forth in connection with claim 5: claim 6 further defines the end-portion/spanner-portion relationship, and this relationship is neither taught nor suggested by Dean.

In light of the foregoing amendment and remarks, the Examiner is respectfully requested to reconsider the rejections and objections state in the Office action, and pass the

application to allowance. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact the undersigned.

**Provisional Request for Extension of time in Which to Respond**

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258.

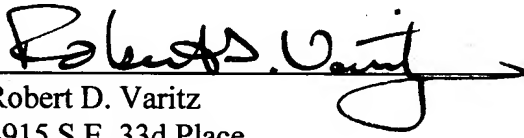
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Respectfully Submitted,

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